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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/666,431

09/19/2003

Rento Tanase

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05/09/2006

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EXAMINER

SLACK, NAKO N

ART UNIT

PAPER NUMBER

3635

DATE MAILED: 05/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/666,431

Applicant(s)

TANASE ET AL.

Examiner

Naoko Slack

Art Unit

3635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5,8,10 and 12-14 is/are pending in the application.
- 4a) Of the above claim(s) 10 and 12 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5,8,13 and 14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

In view of applicant's amendment received April 24, 2006, claims 1-4, 6, 7, 9, 11, and 15-27 have been canceled. In response to the requirement for election of species, applicant has elected species IV, Figures 7 and 8. Applicant has indicated that claims 5, 8, 10, and 12-14 read on Figures 7 and 8; however, claims 5, 8, 13, and 14 pertain to Figure 3, and claims 10 and 12 pertain to Figure 4.

A phone call was made to Roger R. Wise on May 4, 2006 to clarify this election; however, no response was received. Since most of the elected claims pertain to Figure 3, it is assumed that applicant intended to elect Species I, Figure 3. Therefore, claims 5, 8, 13 and 14 have been examined in this office action. Claims 10 and 12 are withdrawn as non-elected invention.

Specification

The abstract of the disclosure is objected to because in line 2, the word "comprise" should probably be deleted. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 5 and 13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 5, line 5, "of like wood elements" is indefinite. If applicant meant to claim wood elements, the word "like" should be deleted.

Claim 13 recites the limitation "the part" in line 8. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 5, 8, 13 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent 4,329,827 to Thorn.

Claim 5:

Thorn discloses a hollow panel (Figure 5) comprising first hollow portions with a first width and second hollow portions arranged in the same plane and with a second width different than the first width, wherein the partition walls (4) are made of wood (column 2, last line).

Claim 8:

A solid portion forming member (between webs 4, Figure 5) is disposed at a part of the first and second hollow portions with a section shape that corresponds to the shape of the part, namely the second hollow portion.

Claim 13:

Thorn discloses a hollow panel (Figure 5) comprising first hollow portions with a first sectional area and second hollow portions arranged in the same plane and with a second sectional area different than the first sectional area. A solid portion forming member (between webs 4, Figure 5) is disposed at some but not all of the first and second hollow portions with a section shape that corresponds to the shape of the second hollow portion.

Claim 14:

Thorn discloses a hollow panel (Figure 5) comprising first hollow portions with a first width and second hollow portions arranged in the same plane and with a second width different than the first width, wherein the partition walls (4) are made of wood (column 2, last line). A solid portion forming member (between webs 4, Figure 5) is inserted into some but not all of the first and second hollow portions with a section shape that corresponds to the shape of the part, namely the second hollow portion.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naoko Slack whose current telephone number is 571-272-6848. The examiner can normally be reached on Mon-Fri (6:00 am-2:30pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl D. Friedman can be reached on 571-272-6842. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3635

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Naoko Slack
Primary Examiner
Art Unit 3635

NS
May 5, 2006